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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,877	05/15/2006	Claude Dehennau	05129-00118-US	5169

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EXAMINER

MCNALLY, DANIEL

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

06/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/564,877

Applicant(s)

DEHENNAU ET AL.

Examiner

DANIEL MCNALLY

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rinkewich (US5047193, of record, previously cited) in view of Nettesheim (US6387209, of record, previously cited), Dries et al. (US6749933, of record, previously cited, herein "Dries") and Lusignea et al. (US5443884, of record, previously cited, herein "Lusignea") for the same reasons expressed in paragraph 3 of the Office action mailed 12/2/2008.
3. Claims 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fell (US5316604 of record, previously cited) in view of Nettesheim, Dries, Lusignea, and optionally in view of Rinkewich for the same reasons expressed in paragraph 4 of the Office action mailed 12/2/2008.
4. Claims 11, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fell, Nettesheim, Dries, Lusignea, optionally Rinkewich, and further in view of Pflug (WO00/32382, of record, previously cited) for the same reasons expressed in paragraph 5 of the Office action mailed 12/2/2008.
5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fell, Nettesheim, Dries, Lusignea, optionally Rinkewich, and further in view of Ducruy (FR2760999, of record, previously cited) for the same reasons expressed in paragraph 6 of the Office action mailed 12/2/2008.

Response to Arguments

6. Applicant's arguments filed 2/24/2009 have been fully considered but they are not persuasive. Independent claim 9 was amended to require the transparent cellular honeycomb is sandwiched between the two skins. Rinkewich discloses facing layers (221) or "skins" are located on either side of the core (3), such that the core is "sandwiched" between the facing layers (Figure 2). Fell discloses the core (1) is "sandwiched" between skins (2) (Figures 1-3).

With respect to the rejection made in view of Rinkewich as the primary reference, applicant addresses Dries but does not clearly articulate any reason why Dries properly applied in the rejection. Applicant argues Lusignea teaches using glue rather than welding to join the skins to the core, and that there is no recognition that superior mechanical properties conferred by oriented sheets could be maintained when the oriented skins are laser welded. Applicant address the prior art individually rather than as a combined teaching of what was known in the art at the time. Lusignea teaches it is know to join oriented skins to a core, Rinkewich discloses skins can be joined to a core by laser welding, and Dries teaches that films or "skins" that are oriented can be laser welded without damaging the orientation of the films so that the films can confer superior mechanical properties. One of ordinary skill would have a reasonable expatiation of success that the laser welding method of Rinkewich could be used with oriented skins of Lusignea in view of the teachings of Dries.

With respect to the rejection made in view of Fell as the primary references, argues that Nettesheim does not disclose the variant of Figure 8 can be made where

both films are not identical to each other, and the variant is nothing like claim 9 where a film is welded to a transparent honeycomb core. Fell discloses that a skin or film is welded to a honeycomb core with an absorbent layer between the skin and core (Figures 1 and 2). Nettesheim is merely cited to show that the materials being welded can be made of a radiation transparent material. Applicant argues Nettesheim does not disclose a film having an absorbent layer welded to a completely transparent member. Fell shows in Figure 1 that a skin (2) having an absorbent layer (3) is welded to a core (1), and Nettesheim teaches the parts to be joined (the skin and core) can be transparent.

It is noted that claim 9 does not exclude both elements to be assembled (skin and core) from including an absorbent layer, as the language of claim 9, lines 5-6, clearly states that "at least one elements to be assembled comprises" which would include an embodiment where both the core and skin include an absorbent layer.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL MCNALLY whose telephone number is (571)272-2685. The examiner can normally be reached on Monday - Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel McNally/
Examiner, Art Unit 1791

/John L. Goff/
Primary Examiner, Art Unit 1791

DPM
June 9, 2009